

COMMISSION MEETING MINUTES

Indiana Fire Prevention and

Building Safety Commission

Government Center South

402 West Washington Street

Indianapolis, Indiana 46204

Conference Room B

January 4, 2006

1. Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Chairman David Hannum at 9:01 am, January 4, 2006. He welcomed the newest member of the Commission, Michael Corey.

a. The following Commissioners were present at the Commission meeting:

David Brandt
Michael Christoffersen
Michael Corey
Howard W. Cundiff, Vice-Chairman, representing the Commissioner, Department of Health
Kevin Goeden, representing the Commissioner, Department of Labor
David Hannum, Chairman
John Hawkins
M. Burke Jones
Ted Ogle
James Ridley

b. The following Commissioner arrived at the time indicated:

Jay Gore 9:23a.m.

c. The following departmental and support staff were present during the meeting:

(1) Agency Support Services, Legal and Code Services
Mara Snyder, Director, Legal and Code Services
William Teeguarden, Executive Administrative Law Judge
Robert Robinson, Code Specialist
Raleigh Kouns, Code Specialist
John Haines, Code Specialist
John Hibner, Code Specialist
Beth Sutor, Secretary
(2) Richelle Wakefield, Director, Building Code Enforcement
(3) James Schmidt, Counsel for the Commission, Deputy Attorney General

2. Old Business.

Chairman David Hannum called for any corrections or a motion to approve the minutes of the December 6, 2005 meeting. A motion to approve the minutes as distributed was made by Commissioner Brandt and seconded by Commissioner Christoffersen. It was voted upon and carried.

3. Boiler and Pressure Vessel Rules Board Emergency Rules.

Dan Willis, Director, Boiler and Pressure Vessels, introduced LSA Document #06-6(E), giving background information and explaining how the editions cited in the current rules could be out of date by the time required for changes to go through the standard rule-making process. He then asked that it be approved. Commissioner Ogle made the motion to approve, with the second being made by Commissioner Cundiff. It was voted upon and carried.

4. Variances.

Chairman Hannum asked for any variances recommended by staff as "A" or "B" to be called out for individual consideration. Those variances called out were # 06-01-13(a), #06-01-15(a), #06-01-33(a), and #06-01-22 (e). Commissioner Cundiff moved to approve all remaining variances with an "A" or "B" review rating by staff. The second was made by Commissioner Ogle. The motion was voted upon and carried.

The following variances were approved as submitted:

- (1)06-01-1Andy Mohr Toyota, Avon
- (2)06-01-4InSiteBuilding Connector, Goshen
- (3)06-01-7David L. Rice Library, Evansville
- (4)06-01-8Vanderburgh County Sheriff's Office, Evansville
- (5)06-01-10RileyHospital for Children Elevator Upgrades, Indianapolis
- (6)06-01-17HeritageChristianSchool Noah's Ark, Indianapolis
- (7)06-01-18701 North Pennsylvania Townhouses, Indianapolis
- (8)06-01-19OldTown Shops of Carmel Phase II, Carmel
- (9)06-01-21The Lord's Pantry / Anna's House, Indianapolis
- (10)06-01-22(a)(b)(c)(d)(f)New Indianapolis Airport – Terminal and Concourse, Indianapolis
- (11)06-01-23(a)(b)(c)Additions and Renovations Oak Hill Jr. / Sr.High School, Converse
- (12)06-01-24North Meridian Medical Pavilion, Carmel
- (13)06-01-26(a)(b)(c) Lowe's Home Improvement Warehouse, Beech Grove
- (14)06-01-27New LincolnPrimaryCenter,South Bend
- (15)06-01-29Ray Skillman Speed Shop, Greenwood
- (16)06-01-31King's Daughters' Hospital Addition, Madison
- (17)06-01-32(a)(b)(d)(e)St. Francis Addition and Renovation, Mooresville
- (18)06-01-33(b)MemorialHospital and HealthCenterCancerCenter, Jasper
- (19)06-01-34(c)Lilly K150/151 Dispensing, Sampling and Warehouse, Indianapolis
- (20)06-01-36(a)(b)Word Alive Church, Indianapolis
- (21)06-01-38Valparaiso UniversityNE Parking Structure, Valparaiso
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- (22)06-01-39Shoppes at Providence,Carmel
- (23)06-01-40Bloomington Country Club Renovation, Bloomington
- (24)06-01-41DeaconessGatewayHospital,Newburgh
- (25)06-01-42DeaconessGatewayMedicalOfficeBuilding, Newburg
- (26)06-01-43(a)(b)BroadviewLearningCenter Additions and Renovations, Bloomington

Tabled Variances.

Variance 05-09-1 Little Lamb Daycare, Muncie was not represented. It was noted that the variance had been tabled for a period of ninety days. The Commission was advised that they had submitted sealed drawings for review and that a Construction Design Release had been issued. Variance 05-11-27 Building Renovation – Wabash Electric Supply, Ft. Wayne, was not represented. Commissioner Cundiff moved to deny. It was seconded by Commissioner Ridley, voted upon and carried. Variance 05-12-2 R.M. Schahfer Generating Station #15 Boiler Freight Elevator, Wheatfield, was represented by Frank Revoir, Star Elevator. He brought information on the cost of alternate methods of counter weight safeties as had been requested at the December meeting. Commissioner Corey moved to approve both Variance 05-12-2 R.M. Shahfer Generating Station, and 05-12-3 U.S. Steel Midwest Plant 72" Galvanize Freight Elevator, Portage. Commissioner Christoffersen made the second. It was voted upon and carried. Variance 05-12-14(a) through (f) NewLifeWorshipCenter, Indianapolis, was represented by Ed Rensink, RTM Consultants. T.J. Burns, Indianapolis Fire Department, was asked if the plans presented to the Commission represented an accurate account of current conditions at the site. He confirmed that they did. Mr. Rensink explained that they wished to be allowed to comply with the code of record and not the current code in the sprinklered building. After discussion, Commissioner Christoffersen moved to approve all sections of the application. The second was made by Commissioner Hawkins. It was voted upon and carried. Variance 05-12-45 Courier Kendallville Addition, Kendallville, was represented by Christina Colleston, RTM Consultants. Discussion of distance to the property line along the railroad spur line's easement and the proposed addition to the building was held. Commissioner Hawkins moved to approve on the condition that the addition be no larger than 79,000 square feet, no closer to the property line than 23 feet, no rack storage is to be placed against the exterior wall along the easement, and ESFR sprinklers are to be used. The second was made by Commissioner Cundiff. It was voted upon and carried.

Regular Variances.

The following variances were heard separately:

- (27)06-01-2(a)(b)(c)Giant Steps, Salem

Greg Beckus spoke as proponent. Also speaking for the variance were Regina Sabens and Brian Sabens. The building is a non-compliant E-3 and church. Variance (a) was for non-compliant construction type, variance (b) dealt with fire alarm systems and (c) was for the non-fire rated corridors. The school, with a student-to-teacher ratio of five-to-one, does not have the funds to immediately correct the non-compliant exiting. After discussion, Commissioner Christoffersen moved to approve all three variances if the missing exit doors are installed in the rooms marked on the plans as infant, pre-school and school classroom within six months. The second was made by Commissioner Brandt. It was voted upon and carried.

- (28)06-01-3Sludge Dewatering Improvements Project, Gary

The proponent requested this application be tabled. Commissioner Cundiff moved to table, and Commissioner Christoffersen made the second. It was voted upon and carried.

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(29)06-01-5 The Gardens Condominiums, Goshen

Larry McCutcheon, Progressive Engineering, spoke as proponent. The request was to omit sprinklers in two-story, four unit condominiums with basements. There is one-hour construction throughout and one-hour floor assemblies. Uncomfortable with the arrangement for basement access provided, Commissioner Christoffersen moved to deny. Commissioner Cundiff made the second. It was voted upon and carried.

(30)06-01-6 South Bend Main Generator Replacement, South Bend

Chris Brim, Carter Burgess, and Andy Ball, SBC, spoke as proponents. The request was to allow a 300 gallon fuel tank to be installed next to the generator on the seventh floor of the building. In the case of a failure of the main fuel delivery system, this tank would provide enough fuel to run the generator, while the main tank and equipment are repaired or an emergency generator is installed without interruption of telephone service to the community. After discussion, Commissioner Cundiff moved to approve. Commissioner Christoffersen made the second. It was voted upon and carried.

(31)06-01-9 Brookville School / Franklin County Government Center, Brookville

Doug Trent, RTM Consultants, spoke as proponent. The building is being used as a B occupancy and has one compliant open stair. The other, a non-compliant open stair, connects three floors. The building is sprinklered with smoke detectors. The stairway will be enclosed at the basement level. Commissioner Brandt moved to approve with the second by Commissioner Hawkins. It was voted upon and carried.

(32)06-01-11 Crooked Creek Elementary, Indianapolis

Melissa Tupper, RTM Consultants, spoke as proponent. The request was to be allowed to store a diesel tractor in a storage area of the school for snow removal during the winter. The tractor holds three gallons of fuel, and no fuel will be stored in the room with the tractor. The room is of block construction. After discussion, Commissioner Brandt moved to approve with the second by Commissioner Ogle. It was voted upon and carried.

(33)06-01-13 (a)(b) New Family Life Center, Linton

Larry Donovan, Donovan and Donovan, spoke as proponent. Also present was Larry Heaton, fire investigator and member of the church. The request was to delete the sprinkler system. After discussion of the 2-hour fire barrier, Commissioner Hawkins moved to approve with the second by Commissioner Jones. It was voted upon and carried. Mr. Donovan then withdrew variance (b) with the promise to install an alarm system.

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(34)06-01-14 (a)(b)(c)(d) Wabash Valley Human Services, Washington

Larry Donovan, Donovan and Donovan, spoke as proponent. Part of the office building was changed to provide daycare, but it was found to be in violation of code in some areas. Variance (a) was for corridors which are not rated 1-Hour, (b) concerned an elevator equipment room ceiling which was not a listed assembly, (c) was for occupancy separation not provided between a B and an E-3, and variance (d) was for the building being over-height for the construction type. After discussion, Commissioner Ridley moved to approve all variances, and Commissioner Brandt made the second. It was voted upon and carried.

(35)06-01-15 (a)(b)(c) Renovation of Lourdes Hall, St. Mary of the Woods

Robert Overton, InterDesign, spoke as proponent. The issues involved an existing wall which is not structurally independent and was not made compliant during a renovation done earlier, rooms with insufficient exits, and unprotected openings. After a lengthy discussion of all the issues, Commissioner Ogle moved that no variance was required for (a). Commissioner Hawkins made the second. It was voted upon and carried. Commissioner Hawkins moved to approve (c) if the four-hour wall is not being used for area separation. Commissioner Cundiff made the second. It was voted upon and carried. Commissioner Hawkins moved to approve (b) with the second by Commissioner Ridley. It was voted upon and carried.

5. **Breaking and Reconvening.** Chairman Hannum recessed the Commission at 10:50 am. After a short break, the Chairman reconvened the meeting at 11:12 am.

(36)06-01-44 Turkey Run Elementary / Jr. / Sr. High School Addition, Marshall

To accommodate members of the local fire department attending the hearing for this variance, the Commission moved this application forward on the agenda. Christina Colletter, RTM Consultants, spoke as proponent. A small addition to the front of the school will compromise the main exit and corridor during construction. A wall will be built through the construction to create an exit path. This wall will be steel stud and drywall, with battery-operated emergency lighting and reflective

exit signs. An agreement had been reached with the local fire officials which included denying corridor access to students during active construction, the use of a "permitting system" of notification of the fire department regarding each new phase of construction, when the corridor is used during events in the gym no obstructions will be present, and the flooring will be installed when no students are in the building. After discussion, Commissioner Brandt moved to approve based on the agreements with the second by Commissioner Cundiff. It was voted upon and carried.

(37)06-01-16 (a)(b)(c)(d)(e)(f)(g) Joy Tabernacle Christian Academy, Indianapolis

Lester Carver, Carver Architects, spoke as proponent. A sprinkler and alarm system had been installed in the building without filing and following procedures. A new building is being constructed and will be occupied in 2007. The current building will then be demolished, and they do not wish to divert money from the construction budget to bring a building into full compliance which will be razed in a year. After discussion it was decided that the dead-end to the gymnasium must be corrected and the additional

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required exit from the gym must be provided. Commissioner Christoffersen moved to approve (a) with the condition the dead-end be corrected, (c) as submitted, and (e), (f) and (g) as submitted and to deny (b) and (d). Commissioner Ridley made the second. It was voted upon and carried.

(38)06-01-20 Big C Lumber, Ft. Wayne

Tim Callas, J&T Consulting, spoke as proponent. He was joined by Chris Stier, Big C Lumber and Mark Meston, Superior Enterprises. The request was to use air from the dust collection system as make-up air. The bagging system for the dust collection unit is state-of-the-art and returns 99% clean, heated air to the blower. Explosion shields are in place, and a smoke or heat detector which can handle the volume of air involved will be installed in the top of the bag house stack. If triggered, it will shut down the air system blower. Commissioner Jones moved to approve with the second by Commissioner Christoffersen. It was voted upon and carried.

(39)06-01-22 (e) New Indianapolis Airport Terminal and Concourse, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. Commissioner Corey had called this variance out for discussion. He wished to make sure the control panel was not accessible by the public. When assured it would be secured, Commissioner Corey moved to approve with the second by Commissioner Jones. It was voted upon and carried.

(40)06-01-25 (a)(b)(c) Our Lady of Providence High School, Clarksville

John Weesner, Weesner Code Solutions, spoke as proponent. He explained that (a) concerned an exit which had the door swing changed. They wished to use the intervening room created as an exit, moving from a non-sprinklered area to a sprinklered area. After discussion, Commissioner Hawkins moved to approve (a) with the second by Commissioner Cundiff. It was voted upon and carried. Variance (b) was to allow the deletion of the requirements for some elevator lobbies where the spaces are sprinklered and of 2-hour construction. Commissioner Brandt moved to approve with the second by Commissioner Hawkins. It was voted upon and carried. Variance (c) was to allow a 72"-wide corridor to be obstructed by 3" or less in three areas by columns. Commissioner Christoffersen moved to approve with the second by Commissioner Jones. It was voted upon and carried.

(41)06-01-28 Grace Fellowship Church, Avon

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request involved a flight of stairs which have a clear width of 35" instead of code-required 44". After discussion, Commissioner Christoffersen moved to approve with the second by Commissioner Ogle. It was voted upon and carried.

(42)06-01-30 (a)(b) The Overlook at Valley Ridge, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. Variance (a) was a request to allow a dryer exhaust duct length longer than allowed by code. After discussion, Commissioner Christoffersen moved to

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approve with the condition a sign be posted in the unit stating the dryer must be rated for a 65 foot vent pipe run. Commissioner Brandt made the second. It was voted upon and carried. Variance (b) was to allow the electric furnace to draw air from the units through a grill in the living room wall. Commissioner Brandt moved to approve with the second by Commissioner Ogle. It was voted upon and carried.

(43)06-01-32 (c) St. Francis Addition and Renovation, Mooresville

Christina Colleter, RTM Consultants, spoke as proponent. The request was to use a two-hour fire barrier wall in accordance with the Life Safety Code instead of a fire wall per the IBC. Commissioner Hawkins moved to approve with the second by Commissioner Christoffersen.

The motion was voted upon and carried.

(44)06-01-33(a) Memorial Hospital and Health Center Cancer Center, Jasper

Doug Trent, RTM Consultants, spoke as proponent. The variance had been called out by Commissioner Hawkins with a question about sprinklering the canopy. Mr. Trent noted that the canopy is for vehicular and pedestrian traffic only with no permanent combustible load and, per the Indiana Building Code, the type I-B construction requires a fire resistive rating for the columns and roof of the canopy. NFPA 13 does not. The existing canopy has missing or deteriorated fireproofing which they are requesting not to replace. Commissioner Hawkins moved to approve. Commissioner Christoffersen made the second. It was voted upon and carried.

(45)06-01-34(a)(b) Lilly K150/151 Dispensing, Sampling and Warehouse, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. He was assisted by Tim Puls, Eli Lilly, and Dave Zapanek, Jacobs Engineering. Variance (a) was to omit seismic evaluation of the existing building. The actual load is not increasing, just changing in nature. The area involved is currently being used for storage of materials for production. Commissioner Brandt moved to approve with the second by Commissioner Hawkins. It was voted upon and carried. Variance (b) was permission to omit secondary containment requirements. The materials are bulk pharmaceuticals and are stored in sealed, double-walled containers with little likelihood of leakage. This would avoid the health hazard concern of contaminated sprinkler run-off. Commissioner Ogle moved to approve with the second by Commissioner Christoffersen. It was voted upon and carried.

Commissioner Gore departed at 12:33pm. A quorum was maintained.

(46)06-01-35 Former Commissary Building, Lawrence

Christina Colletter, RTM Consultants, spoke as proponent. The request was to allow an existing open stair to be replaced with a new open stairway. The building is occupied by a single tenant, and the rise and run of the stair will be code-compliant. Commissioner Christoffersen moved to approve with the second by Commissioner Ogle. It was voted upon and carried.

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(47)06-01-37 Clinton Prairie High School Addition, Frankfort

Ed Rensink, RTM Consultants, spoke as proponent. The request was to permit fireproofing the structural members only to twenty feet. Following discussion, Commissioner Ogle moved to approve with the second by Commissioner Ridley. It was voted upon and carried.

(48)06-01-43(c) Broadview Learning Center Additions and Renovations, Bloomington

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The variance was for a classroom and office space being added into what had been a courtyard space. The request was to use the existing masonry walls as a two-hour fire barrier. The corridors in the addition will be one-hour rated and the fire alarm system will be extended into the addition. After discussion, Commissioner Cundiff moved to approve with the second by Commissioner Christoffersen. It was voted upon and carried.

6. Ordinances.

Mara Snyder, Director, Code and Legal Services, introduced the Fishers Fire Prevention Code. Mark Elder, Town of Fishers Division Chief and Fire Marshal, presented the ordinance which had been amended from the version submitted at the December Commission meeting. The version presented at the January Commission meeting was not in conflict with Indiana codes, and Mara Snyder recommended approval. Commissioner Cundiff moved to approve with the second by Commissioner Brandt. It was voted upon and carried.

7. Discussion and Commission Action.

Bridges Residential
Denial of Construction Design Release
Administrative Cause No. 05-63
Nonfinal Order of Dismissal
Emmanuel Day Care Ministry
Order – State Fire Marshal
Administrative Cause No. 05-48
Nonfinal Order of Dismissal

Commissioner Jones moved to approve the Nonfinal Orders. Commissioner Cundiff made the second. The motion was voted upon and carried.

East Wayne Street Center Inc.

Order – State Fire Marshal

Administrative Cause No. 05-27

Notice of Filing Report, Findings of Fact and
Nonfinal Order of Administrative Law Judge
Objections filed

After a review of options presented by James Schmidt, a motion to allow briefs to be filed by February 14, 2006 for the March Commission meeting was made by Commissioner Ogle. Commissioner Corey made the second. It was voted upon and carried.

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Shenandoah High School

Denial of Variance #05-08-30

Administrative Cause No. 05-53

Remand to Commission

Commissioner Cundiff moved to grant the original variance, #05-08-30 with amendments to allow four persons on the roof of the pressbox, with the second by Commissioner Christoffersen. It was voted upon and carried.

8. New Business – General.

a. Discussion and Commission Action On Petitions For Review

Samaritan Center (Willows BU 11165)

Order – State Fire Marshal

Las Rosas Mexican Grill

Denial of Variance

Commissioner Ogle moved to grant the Petitions for Review. Commissioner Jones made the second. It was voted upon and carried.

Avon Community Church of God

Order – Washington Twp/Avon Fire Dept., not timely filed

Commissioner Christoffersen moved to deny the petition for review which had not been timely filed.

Commissioner Cundiff made the second. It was voted upon and carried.

9. Comments.

Mara Snyder, Director of Code and Legal Services, explained that first hearings for LSA Documents handed out at today's meeting concerning NFPA Standards, tents and amendments to the GAR would be held March 17, 2006. Any comments concerning the codes involved should, at the request of the Attorney General's office, be made in writing and submitted to Legal and Code Services. The second hearing will be at the May Commission meeting. Attendance at both hearings was strongly encouraged.

10. Adjournment.

Commissioner Hannum called for further business. There being none, he adjourned the meeting at 1:03 p.m.

APPROVED

David Hannum, Chairman